

FORM PTO-1390  
(REV 10-94)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

270.60USWO

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

Unknown 09/937452

INTERNATIONAL APPLICATION NO.

PCT/CA00/00305 ✓

INTERNATIONAL FILING DATE

March 24, 2000 ✓

PRIORITY DATE CLAIMED

March 25, 1999 ✓

TITLE OF INVENTION

MICROPROPAGATION AND PRODUCTION OF PHYTOPHARMACEUTICAL PLANTS

APPLICANT(S) FOR DO/EO/US

SAXENA et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
- ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Article 34 Amendment; Front page of published PCT application; Notification of Receipt of Demand; PCT/IB/332; PCT Request; PCT/IB/304; International Preliminary Examination Report with amended pages; International Search Report; Written Opinion

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.55) Unknown <b>09/937452</b>		INTERNATIONAL APPLICATION NO. PCT/CA00/00305		NEY'S DOCKET NUMBER 60USWO	
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17. [X] The following fees are submitted:				CALCULATIONS     PTO USE ONLY		
<b>BASIC NATIONAL FEE (37 CFR 1.492(a) (1)-(5)):</b> Search Report has been prepared by the EPO or JPO.....\$860.00  International preliminary examination fee paid to USPTO (37 CFR 1.492(a)(1)).....\$690.00  No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$710.00  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(3)) paid to USPTO ..... \$1000.00  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$100.00						
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>						
Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).						
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total claims	59                      -20 =	39	X \$18.00			
Independent claims	3                                -3 =	0	X \$80.00	\$0		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$260.00	\$270.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1832.00		
Reduction by 1/2 for filing by small entity, if applicable. Small entity status is claimed pursuant to 37 CFR 1.27				\$0		
<b>SUBTOTAL =</b>				\$1832.00		
Processing fee of \$130.00 for furnishing the English translation later than [ ] 20 [ ] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+ \$0		
<b>TOTAL NATIONAL FEE =</b>				\$1832.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+ \$0		
<b>TOTAL FEES ENCLOSED =</b>				\$1832.00		
				Amount to be: refunded	\$0	
				charged	\$0	


a. [ ] Check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

b. [X] Please charge my Deposit Account No. 13-2725 in the amount of \$ 1,832.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 13-2725.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:  
 Gregory A. Sebald  
 MERCHANT & GOULD  
 P.O. Box 2903  
 Minneapolis, MN 55402-0903

SIGNATURE:   
 NAME: Gregory A. Sebald  
 REGISTRATION NUMBER: 33,280

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

09/937452

Applicant: SAXENA et al.  
 Docket: 270.60USWO  
 Title: MICROPROPAGATION AND PRODUCTION OF PHYTOPHARMACEUTICAL PLANTS

## CERTIFICATE UNDER 37 CFR 1.10

'Express Mail' mailing label number: EL669941883US

Date of Deposit: September 25, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service 'Express Mail Post Office To Addressee' service under 37 CFR 1.10 and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

By: Omesh Singh  
 Name: Omesh Singh

## BOX PATENT APPLICATION

Commissioner for Patents  
 Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.10.
- ☒ National Stage PCT Patent Application: Spec. 55 pgs; 61 claims; Abstract 1 pg.  
The fee has been calculated as shown below in the 'Claims as Filed' table.
- ☒ 12 sheets of formal drawings
- ☒ An unsigned Combined Declaration and Power of Attorney
- ☒ Other: PTO-1390; Preliminary Amendment; Article 34 Amendment; Front page of published PCT application; Notification of Receipt of Demand; PCT/IB/332; PCT Request; PCT/IB/304; International Preliminary Examination Report with amended pages; International Search Report; Written Opinion
- ☒ Return postcard

## CLAIMS AS FILED

Number of Claims Filed		In Excess of:		Number Extra		Rate		Fee
Basic Filing Fee								\$860.00
Total Claims								
59	-	20	=	39	x	18.00	=	\$702.00
Independent Claims								
3	-	3	=	0	x	80.00	=	\$0.00
MULTIPLE DEPENDENT CLAIM FEE								\$270.00
TOTAL FILING FEE								\$1832.00

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
 P.O. Box 2903, Minneapolis, MN 55402-0903  
 (612) 332-5300

By: Gregory A. Sebal  
 Name: Gregory A. Sebal  
 Reg. No.: 33,280  
 Initials: GAS/tvm



(PTO TRANSMITTAL - NEW FILING)